

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: GENERIC
PHARMACEUTICALS PRICING
ANTITRUST LITIGATION**

**MDL NO. 2724
Case No. 16-MD-2724-CMR**

**THIS DOCUMENT RELATES TO:
*ALL ACTIONS***

HON. CYNTHIA M. RUFE

DEFENDANTS' MOTION FOR LEAVE TO FILE DOCUMENTS UNDER SEAL

Defendants, pursuant to Fed. R. Civ. P. 5.2(d), Local Rules 5.1.2(7) and 5.1.5, by and through their undersigned counsel, hereby move this Court for an Order granting leave to file under seal Defendants' Supplemental Submission in Support of Their Objection to Special Master David H. Marion's Third Report and Recommendation Relating to "Bellwether" Selection. Plaintiffs have neither indicated that they consent or oppose this Motion. The points and authorities supporting this Motion are set forth in Defendants' Memorandum in Support of this Motion filed under seal contemporaneously herewith. A proposed order is attached.

Dated: May 13, 2020

Respectfully submitted,

/s/ Sheron Korpus

Sheron Korpus

Seth A. Moskowitz

KASOWITZ BENSON TORRES LLP

1633 Broadway

New York, New York 10019

Tel: (212) 506-1700

Fax: (212) 506-1800

skorpus@kasowitz.com

smoskowitz@kasowitz.com

*Counsel for Actavis Holdco U.S., Inc. and
Actavis Pharma, Inc.*

MORGAN, LEWIS & BOCKIUS LLP

/s/ Steven A. Reed

Steven A. Reed

R. Brendan Fee

Melina R. DiMattio

1701 Market Street

Philadelphia, PA 19103

Telephone: +1.215.963.5000

Facsimile: +1.215.963.5001

steven.reed@morganlewis.com

brendan.fee@morganlewis.com

melina.dimattio@morganlewis.com

Wendy West Feinstein

One Oxford Centre

Thirty-Second Floor

Pittsburgh, PA 15219-6401

Telephone: +1.412.560.7455

Facsimile: +1.412.560.7001

wendy.feinstein@morganlewis.com

*Counsel for Defendant
Glenmark Pharmaceuticals Inc., USA*

/s/ James W. Matthews

James W. Matthews

Katy E. Koski

John F. Nagle

FOLEY & LARDNER LLP

111 Huntington Avenue

Boston, Massachusetts 02199

Tel: (617) 342-4000

Fax: (617) 342-4001

jmatthews@foley.com

kkoski@foley.com

jnagle@foley.com

James T. McKeown

Elizabeth A. N. Haas

Kate E. Gehl

FOLEY & LARDNER LLP

777 E. Wisconsin Avenue

Milwaukee, WI 53202

Tel: (414) 271-2400

Fax: (414) 297-4900

jmckeown@foley.com

ehaas@foley.com

kgehl@foley.com

Steven F. Cherry

April N. Williams

Claire Bergeron

WILMER CUTLER PICKERING

HALE AND DORR LLP

1875 Pennsylvania Avenue, NW

Washington, D.C. 20006

Tel: (202) 663-6000

Fax: (202) 663-6363

steven.cherry@wilmerhale.com

april.williams@wilmerhale.com

claire.bergeron@wilmerhale.com

Terry M. Henry

Melanie S. Carter
BLANK ROME LLP
One Logan Square
130 North 18th Street
Philadelphia, PA 19103
Tel: (215) 569-5644
Fax: (215) 832-5644

Counsel for Defendant Apotex Corp.

/s/ Gerald E. Arth

Gerald E. Arth
Ryan T. Becker
FOX ROTHSCHILD LLP
2000 Market Street, 20th Floor
Philadelphia, PA 19103
Tel.: (215) 299-2000
Fax: (215) 299-2150
garth@foxrothschild.com
rbecker@foxrothschild.com

George G. Gordon
Stephen D. Brown
Julia Chapman
DECHERT LLP
2929 Arch Street
Philadelphia, PA 19104-2808
Tel.: (215) 994-2382
Fax: (215) 655-2240
george.gordon@dechert.com
stephen.brown@dechert.com
julia.chapman@dechert.com

Counsel for Lannett Company, Inc.

/s/ John E. Schmidtlein

John E. Schmidtlein
Sarah F. Kirkpatrick
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W.
Washington, D.C. 20005
Phone: (202) 434-5000
Fax: (202) 434-5029
jschmidtlein@wc.com

skirkpatrick@wc.com

Attorneys for Par Pharmaceutical, Inc.

/s/ Jason R. Parish

Jason R. Parish
Martin J. Amundson
**BUCHANAN INGERSOLL & ROONEY
PC**
1700 K Street, NW
Washington, D.C. 20006
Telephone: (202) 452-7900
jason.parish@bipc.com
martin.amundson@bipc.com

Bradley Kitlowski
**BUCHANAN INGERSOLL & ROONEY
PC**
Union Trust Building
501 Grant Street
Pittsburgh, PA 15219
Telephone: (412) 562-8800
bradley.kitlowski@bipc.com

*Counsel for Defendant Zydus
Pharmaceuticals (USA) Inc.*

/s/ Saul P. Morgenstern

Saul P. Morgenstern
Margaret A. Rogers
**ARNOLD & PORTER
KAYE SCHOLER LLP**
250 W. 55th Street
New York, NY 10019
Tel: (212) 836-8000
Fax: (212) 836-8689
saul.morgenstern@arnoldporter.com
margaret.rogers@arnoldporter.com

Laura S. Shores
**ARNOLD & PORTER
KAYE SCHOLER LLP**
601 Massachusetts Avenue
Washington, DC 20001

Tel: (202) 942-5000
Fax: (202) 942-5999
laura.shores@arnoldporter.com

*Counsel for Sandoz and Fougera
Pharmaceuticals, Inc.*

/s/ Stacey Anne Mahoney

Stacey Anne Mahoney
MORGAN, LEWIS & BOCKIUS LLP
101 Park Avenue
New York, New York 10178
Telephone: (212) 309-6000
Facsimile: (212) 309-6001
stacey.mahoney@morganlewis.com

*Counsel for Defendant Breckenridge
Pharmaceutical, Inc.*

/s/ Chul Pak

Chul Pak
**WILSON SONSINI GOODRICH &
ROSATI, PC**
1301 Avenue of the Americas 40th Floor
New York, New York 10019
Tel: (212) 497-7726
Fax: (212) 999-5899
cpak@wsgr.com

Seth C. Silber
Jeffrey C. Bank
**WILSON SONSINI GOODRICH &
ROSATI, PC**
1700 K Street, NW Fifth Floor
Washington, DC 20006
Tel: (202) 973-8824
Fax: (202) 973-8899
ssilber@wsgr.com
jbank@wsgr.com

Adam K. Levin
Benjamin F. Holt
Justin W. Bernick
HOGAN LOVELLS US LLP

555 Thirteenth Street, NW
Washington, D.C. 20004
Tel: (202) 637-5600
Fax: (202) 637-5910
adam.levin@hoganlovells.com
benjamin.holt@hoganlovells.com
justin.bernick@hoganlovells.com

*Counsel for Defendants Mylan Inc., Mylan
Pharmaceuticals, Inc., UDL Laboratories,
Inc., and Mylan N.V*

/s/ Erik T. Koons

John M. Taladay
Erik T. Koons
Stacy L. Turner
Christopher P. Wilson
BAKER BOTTS LLP
700 K Street NW
Washington, DC 20001
Telephone: (202) 639-7700
Facsimile: (202) 639-7890
john.taladay@bakerbotts.com
erik.koons@bakerbotts.com
stacy.turner@bakerbotts.com
christopher.wilson@bakerbotts.com

Lauri A. Kavulich
Ann E. Lemmo
CLARK HILL PLC
2001 Market St, Suite 2620
Philadelphia, PA 19103
Telephone: (215) 640-8500
Facsimile: (215) 640-8501
lkavulich@clarkhill.com
alemmono@clarkhill.com

Lindsay S. Fouse
CLARK HILL PLC
301 Grant St, 14th Floor
Pittsburgh, PA 15219
Telephone: (412) 394-7711
Facsimile: (412) 394-2555
lfouse@clarkhill.com

Counsel for Defendants Sun Pharmaceutical Industries, Inc., Mutual Pharmaceutical Company, Taro Pharmaceutical Industries, Ltd., and Taro Pharmaceuticals U.S.A., Inc.

/s/ J. Gordon Cooney, Jr.

J. Gordon Cooney, Jr.
John J. Pease, III
Alison Tanchyk
William T. McEnroe
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
Tel: (215) 963-5000
Fax: (215) 963-5001
jgcooney@morganlewis.com
john.pease@morganlewis.com
alison.tanchyk@morganlewis.com
william.mcenroe@morganlewis.com

Amanda B. Robinson
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
Tel: (202) 739-3000
Fax: (202) 739-3001
amanda.robinson@morganlewis.com

Counsel for Defendant Teva Pharmaceuticals USA, Inc. and Pliva

/s/ Leiv Blad

Leiv Blad
Zarema Jaramillo
Ario Fazli
LOWENSTEIN SANDLER LLP
2200 Pennsylvania Avenue
Washington, DC 20037
Tel.: (202) 753-3800
Fax: (202) 753-3838
lblad@lowenstein.com
zjaramillo@lowenstein.com
afazli@lowenstein.com

Attorneys for Lupin Pharmaceuticals, Inc.

/s/ Raymond A. Jacobsen, Jr.

Raymond A. Jacobsen, Jr.
Paul M. Thompson
Lisa A. Peterson
MCDERMOTT WILL & EMERY LLP
500 N. Capitol St., NW
Washington, D.C. 20001
202-756-8000
rayjacobsen@mwe.com
pthompson@mwe.com
lpeterson@mwe.com

Nicole L. Castle
MCDERMOTT WILL & EMERY LLP
340 Madison Ave.
New York, NY 10173
212-547-5400
ncastle@mwe.com

Counsel for Amneal Pharmaceuticals, Inc. and Amneal Pharmaceuticals LLC

/s/ Ilana H. Eisenstein

Ilana H. Eisenstein
Ben C. Fabens-Lassen
DLA PIPER LLP (US)
1650 Market Street, Suite 5000
Philadelphia, PA 19103
Tel: (215) 656-3300
Fax: (215) 656-3301
ilana.eisenstein@dlapiper.com
ben.fabens-lassen@dlapiper.com

Edward S. Scheideman
DLA PIPER LLP (US)
500 Eighth Street, NW
Washington, D.C. 20004
Tel: (202) 799-4000
Fax: (202) 799-5000
edward.scheideman@dlapiper.com

Counsel for Pfizer Inc. and

Greenstone, LLC.

/s/ Robin D. Adelstein
Robin D. Adelstein
Mark A. Robertson
Gerald A. Stein
NORTON ROSE FULBRIGHT US LLP
1301 Avenue of the Americas
New York, New York 10019
Tel.: (212) 318-3000
Fax: (212) 808-3400
robin.adelstein@nortonrosefulbright.com
mark.robertson@nortonrosefulbright.com
gerald.stein@nortonrosefulbright.com

*Counsel for Valeant Pharmaceuticals North America LLC,
Valeant Pharmaceuticals International
and Oceanside Pharmaceuticals, Inc.*

/s/ Anthony C. Porcelli
Anthony C. Porcelli
POLSINELLI PC
150 North Riverside Plaza, Suite 3000
Chicago, IL 60606
Tel: (312) 819-1900
Fax: (312) 819-1910
aporcelli@polsinelli.com

Amy D. Fitts
POLSINELLI PC
900 w. 48TH Place, Suite 900
Kansas City, MO 64112
Tel: (816) 753-1000
Fax: (816) 222-0425
afitts@polsinelli.com

*Counsel for Defendants Akorn, Inc.,
Akorn Sales, Inc., and Hi-
Tech Pharmacal Co. Inc.*

/s/ Jay P. Lefkowitz
Jay P. Lefkowitz, P.C.
Devora W. Allon, P.C.
Alexia R. Brancato
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, New York 10022
(212) 909-3344
lefkowitz@kirkland.com
devora.allon@kirkland.com
alexia.brancato@kirkland.com

*Counsel for Defendant Upsher-Smith
Laboratories, L.L.C.*

/s/ William A. Escobar
William A. Escobar
Damon W. Suden
Clifford E. Katz
KELLEY DRYE & WARREN LLP
101 Park Avenue
New York, New York 10178
Tel: (212) 808-7800
Fax: (212) 808-7897
wescobar@kelleydrye.com
dsuden@kelleydrye.com
ckatz@kelleydrye.com

*Counsel for Defendants Wockhardt USA
LLC and Morton Grove Pharmaceuticals,
Inc.*

/s/ J. Clayton Everett, Jr.
Scott A. Stempel
J. Clayton Everett, Jr.
Tracey F. Milich
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, D.C. 20004
Phone: (202) 739-3000
Fax: (202) 739-3001
scott.stempel@morganlewis.com
clay.everett@morganlewis.com
tracey.milich@morganlewis.com

Harvey Bartle IV
Francis A. DeSimone
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103
Phone: (215) 963-5000
Fax: (215) 963-5001
harvey.bartle@morganlewis.com
frank.desimone@morganlewis.com

Amy B. Carver
WELSH & RECKER, P.C.
306 Walnut Street
Philadelphia, PA 19106
(215) 972-6430
abcarver@welshrecker.com

*Attorney for Defendant Tracy Sullivan
Divalerio*

*Counsel for Defendant Perrigo New York,
Inc.*

/s/ L. Barrett Boss
L. Barrett Boss
Peter M. Ryan
S. Rebecca Brodey
Thomas J. Ingalls
COZEN O'CONNOR P.C.
1200 19th Street NW
Suite 300
Washington, DC 20036
(202) 912-4814
(866) 413-0172 (fax)
bboss@cozen.com
pryan@cozen.com
rbrodey@cozen.com
tingalls@cozen.com

Attorneys for Defendant James Nesta

/s/ Larry Krantz
Larry Krantz
KRANTZ & BERMAN LLP
747 Third Avenue
32nd Floor
New York, NY 10017
(212) 661-0009
(212) 355-5009 (fax)
lkrantz@krantzberman.com

Attorney for Defendant James Brown

/s/ Amy B. Carver

/s/ Robert E. Connolly
Robert E. Connolly
LAW OFFICE OF ROBERT E.
CONNOLLY
301 N. Palm Canyon Drive
Suite 103, #214
Palm Springs, CA 92262
(215) 219-4418
bob@reconnollylaw.com

Attorney for Defendant James Grauso

/s/ Jeffrey D. Smith
Jeffrey D. Smith
Alice Bergen
DECOTIIS, FITZPATRICK, COLE &
GIBLIN, LLP
Glenpointe Centre West
500 Frank W. Burr Boulevard
Suite 31
Teaneck, NJ 07666
(201) 907-5228
jsmsth@decotiislaw.com
abergen@decotiislaw.com

Attorneys for Defendant Robin Hatosy

/s/ Alyssa C. Hughes

Alyssa C. Hughes
Larry Mackey
Neal Brackett
Bradley Love
BARNES & THORNBURG LLP
11 South Meridian Street
Indianapolis, IN 46204
(317) 261-7881
Alyssa.hughes@btlaw.com
Larry.mackey@btlaw.com
Neal.brackett@btlaw.com
Bradley.love@btlaw.com

Attorneys for Defendant Nisha Patel

/s/ Thomas H. Lee, II

Thomas H. Lee, II
Jeffrey J. Masters
Carla G. Graff
DECHERT LLP
Cira Centre
2929 Arch Street
Philadelphia, PA 19104
Tel: (215) 994-4000
Fax: (215) 994-2222
thomas.lee@dechert.com
jeffrey.masters@dechert.com
carla.graff@dechert.com

Attorneys for Defendant David Rekenhaller

/s/ Stephen A. Miller

Stephen A. Miller
David Reichenberg
Calli Jo Padilla
COZEN O'CONNOR P.C.
1650 Market Street
Suite 2800
Philadelphia, PA 19103
(215) 665-6938
(215) 253-6777 (fax)
samiller@cozen.com
dreichenberg@cozen.com
cpadilla@cozen.com

/s/ Henry E. Klingeman

Henry E. Klingeman
KLINGEMAN CERIMELE
60 Park Place
Suite 1100
Newark, NJ 07102
(973) 714-3474
henry@klingemanlaw.com

*Attorney for Defendant David Berthold
Attorneys for Defendant Richard Rogerson*

/s/ Thomas H. Suddath, Jr.

Thomas H. Suddath, Jr.
Anne Rollins
Michael Lowenstein
Thomas Reilly
REED SMITH LLP
Three Logan Square
1717 Arch Street
Philadelphia, PA 19103
(215) 851-8209
(215) 851-1420 (fax)
tsuddath@reedsmith.com
arollins@reedsmith.com
mlowenstein@reedsmith.com
treilly@reedsmith.com

*Attorneys for Defendant Maureen
Cavanaugh*

/s/ James A. Backstrom

James A. Backstrom
JAMES A. BACKSTROM, COUNSELOR
AT LAW
1515 Market Street
Suite 1200
Philadelphia, PA 19102
(215) 864-7797
jabber@backstromlaw.com

Attorney for Defendant Marc Falkin

/s/ Robert E. Welsh, Jr.

Robert E. Welsh, Jr.
Alexandra Kitei
WELSH & RECKER, P.C.
303 Walnut Street
Philadelphia, PA 19106
(215) 972-6430
(215) 972-6436 (fax)
rewelsh@welshrecker.com
akitei@welshrecker.com

Attorneys for Defendant Kevin Green

/s/ Michael Gerard Considine

Michael Gerard Considine
Laura Elizabeth Miller
Shrey Sharma
SEWARD & KISSEL LLP
One Battery Park Plaza
New York, NY 10004
(212) 574-1334
considine@sewkis.com
millerl@sewkis.com
sharma@sewkis.com

Attorneys for Defendant Jill Nailor

/s/ David Schertler

David Schertler
Lisa Manning
SCHERTLER & ONORATO, LLP
901 New York Avenue
Suite 500
Washington, DC 20001
(202) 628-4199
lmanning@schertlerlaw.com

*Attorneys for Defendant Konstantin
Ostaficiuk*

/s/ G. Robert Gage, Jr.

G. Robert Gage, Jr.
Gage Spencer & Fleming LLP
410 Park Avenue
New York, NY 10022
(212) 768-4900
grgage@gagespencer.com

Attorneys for Defendant Ara Aprahamian

CERTIFICATE OF SERVICE

I hereby certify that on May 13, 2020, a copy of the foregoing Defendants' Motion for Leave to File Documents Under Seal was served via email on counsel of record.

/s/ Sheron Korpus

Sheron Korpus